

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 13103 OF 2022

Anshuman Mahesh Umbarje
Minor Through – father and
natural guardian Dr. Mahesh Umbarje Petitioner

Vs.

State of Maharashtra & Ors. Respondents

Mr. R. K. Mendadkar for the Petitioner
Mr. V. M. Mali, AGP for the State
Mr. Sameer Khedekar for Respondent No.3

**CORAM: S.V.GANGAPURWALA &
S.G. DIGE, JJ.**

DATED : NOVEMBER 11, 2022

P.C.

1 The caste claim of the Petitioner as Koli Mahadev is invalidated. It is submitted that the father of the Petitioner has been issued validity under the orders of this Court in Writ Petition No.2386/1994 dated 29th July 1994. The said judgment has become final. It is further submitted that the other relatives of the Petitioner are also issued with the validity under the orders of this Court.

2 The learned AGP points out the discrepancies in the genealogy submitted in the present matter and the matter of the relatives of the Petitioner.

3 It appears that the father of the Petitioner has been issued validity under the orders of this Court and some of the other relatives also. There appears to be some discrepancies in the genealogy of the relatives of the Petitioner. As the validity has been issued to the father of the Petitioner under the orders of this Court, we pass the following order:

- a. The impugned judgment is set aside.
- b. The Respondent may issue validity certificate of Koli Mahadev, Scheduled Tribe to the Petitioner.
- c. It would be open for the Committee to verify the genealogy submitted by the Petitioner of his father and other relatives and if it is found that fraud has been played in submitting the genealogy, then the Scrutiny Committee may take further steps in the matter, as may be permissible under the law. The validity issued to the Petitioner shall be subject to the same.
- d. The Writ Petition is disposed of no costs.

(S.G. DIGE, J.)

(S.V. GANGAPURWALA, J.)